

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 228

Introduced by Senator DeSaulnier

February 23, 2009

An act to add Section 42357.5 to the Public Resources Code, relating to plastic bags.

LEGISLATIVE COUNSEL'S DIGEST

SB 228, as amended, DeSaulnier. Plastic bags: compostable or marine degradable plastic bags.

The California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, prohibits a person from selling a plastic bag in this state that is labeled with the term "compostable" or "marine degradable" unless, at the time of sale, the plastic bag meets specified standards for those types of bags.

This bill would require a manufacturer of a marine degradable or compostable plastic bag meeting those standards to ensure that the marine degradable or compostable plastic bag is readily and easily identifiable from other plastic bags. ~~The bill would specify that "readily and easily identifiable" shall mean a uniform color of green with the label "compostable" and carrying the certification label of the Biodegradable Products Institute. The bill would define "readily and easily identifiable." The bill would prohibit a compostable plastic bag sold in the state from displaying a chasing arrow resin identification code or recycling type of symbol in any form.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42357.5 is added to the Public Resources
2 Code, to read:

3 42357.5. (a) ~~*Beginning July 1, 2010, a*~~ manufacturer of a
4 marine degradable or compostable plastic bag meeting an ASTM
5 standard specification specified in paragraph (1) of subdivision
6 (b) of Section 42356 shall ensure that the marine degradable or
7 compostable plastic bag is readily and easily identifiable from
8 other plastic bags.

9 ~~(b) For purposes of this section, “readily and easily identifiable”~~
10 ~~means a uniform color of green with the label “compostable” and~~
11 ~~carrying the certification label of the Biodegradable Products~~
12 ~~Institute.~~

13 (b) *For purposes of this section, “readily and easily identifiable”*
14 *means labeling that meets both of the following requirements:*

15 (1) *Labeled with a recognized certification logo, such as the*
16 *Biodegradable Products Institute logo, as meeting the ASTM*
17 *D6400 or D7081 standard specification.*

18 (2) *Labeled in accordance with one of the following:*

19 (A) *The bag is made of a uniform color of green and labeled*
20 *with the word “compostable” on one side of the bag, and the label*
21 *shall be at least one inch in height.*

22 (B) *Labeled with the word “compostable” on both sides of the*
23 *bag and the label shall be one of the following:*

24 (i) *Green color lettering at least one inch in height.*

25 (ii) *Within a contrasting green color band of at least one inch*
26 *in height on both sides of the bag with color contrasting lettering*
27 *of at least one-half inch in height.*

28 (c) *A compostable plastic bag sold in the state shall not display*
29 *a chasing arrow resin identification code or recycling type of*
30 *symbol in any form.*